

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DCR MORTGAGE 1, LLC,  
 Plaintiff,

vs.

GARY L. SYLVER,  
 Defendant.

Case No. 2:16-cv-01787-GMN-NJK

ORDER

On May 17, 2017, Chief United States District Judge Gloria M. Navarro referred this case to the undersigned for a settlement conference. Docket No. 33. On the same date, this Court issued an order scheduling a settlement conference for August 15, 2017. Docket No. 35. The Court specifically ordered that, *inter alia*, all individual parties “are **required to be present in person for the duration of the settlement conference**[.]” *Id.* at 1 (emphasis in original). The Court further ordered that “[a]ny request for an exception to the above personal attendance requirements must be filed and served on all parties within seven (7) days of the issuance of this order. Such a request will be strictly scrutinized for a showing of compelling justification.” *Id.* at 2 (emphasis in original).

No request for exception to the Court’s appearance requirements was filed, either within the allowable period of time, or subsequent to the allowable period of time. *See* Docket. On August 8, 2017, the Court received Defendant Sylver’s settlement conference brief, as ordered. Docket No. 35 at 3. Notwithstanding the Court’s clear order, Defendant’s counsel submits that his client will not be present for the settlement conference. To be clear, Mr. Sylver has been under Court order to be present

1 for the settlement conference since May 17, 2017, and that order remains. When a party and/or his  
2 counsel fails to appear as ordered or otherwise violates a Court order, he is subject to sanctions. *See*,  
3 *e.g.*, Fed. R. Civ. P. 16(f); Local Rule IA 4-1. Defendant Sylver is required to be present at the  
4 settlement conference on August 15, 2017.

5 IT IS SO ORDERED.

6 DATED: August 9, 2017

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10 Nancy J. Koppe  
11 United States Magistrate Judge  
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